IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6409 OF 2003

M/s. Anand Builders and
Developers ..Petitioner

Vs.

The Municipal Corporation of
the City of Thane and ors. ..Respondents

Mr. S.A. Joshi h/f Mr. S.M. Oka for petitioner.
Ms. Gautambala Gautam for respondent no.3.

CORAM: B.H. MARLAPALLE & NARESH H. PATIL,JJ.

Date : October 11, 2006.

P.C.:

1. By the communication dated 6/5/2002, the Assistant Town Planning of Thane Municipal Corporation informed one Shri Ashok Vesavkar and Company that the plot in Survey No.58 (Part) and Survey No.241 of village Balkum come within the high-tide line as per the survey done by the Centre for earth science studies and, therefore, the proposals for construction submitted on the plots forming part of these survey numbers could not be approved.

2. It is not known how the petitioner is

concerned with the communication so as to impugn the same, more so when the petitioner is partnership firm, wherein Mr.Veerdhawal Parkar claims to be the partner.

3. In any case, if the decision of the Corporation is based on a scientific study conducted by an expert body, we do not find any reason to entertain this petition challenging such a decision. Even otherwise the Government of India has issued fresh guide-lines recently on CRZ and the future proposals would be decided undoubtedly in keeping with these new guide-lines.

4. Petition rejected summarily.

(Naresh H. Patil, J.) **(B.H. Marlapalle,J.)**